PLANNING FOR THE FUTURE

Caring for and meeting the needs of our companion animals requires a great deal of individual attention, which ranges from the daily feeding to walking our dogs or playing with our cats. Our animals need human companionship. Pets certainly do not do well with our cats.

Therefore, each of us who has pets and is concerned about what will happen to them when we die must face the fact that we have a very predictable problem that must be addressed during our lifetime, if it is to be handled and resolved in any meaningful and satisfactory manner. It is simply not enough to say to ourselves that we will let someone else, such as our executor, solve the problem or that if we leave enough money to go toward the care of our pet that it will be done satisfactorily.

Bank trust departments, lawyers, and courts never, and executors rarely adequately can take care of this very personal matter and obligation after we are gone. There are scores of cases, which almost invariably have a tragic ending, that have arisen involving judicial solutions to take care of an animal's needs after a person dies or is no longer able to care for the animal properly. A pet owner usually knows his or her pet's individual needs and is best able to judge with whom, and in what circumstances, the pet would be most likely to be happy. In spite of all these considerations, people are too frequently place too much reliance upon legalistic solutions to take care of their pets after they die—making conditional gifts in their will to care for their companion animal or setting up trusts with the animal as the beneficiary. These solutions tend to be of limited use for a number of reasons, including the fact that only a minority of states recognize such arrangements with a friend or a reliable person who has made a commitment to provide alternative care and to bequeath an outright gift of money to that individual which, by a prior commitment to care for the animal, will be used to take care of the animal in the event you, the person who made the commitment, should become incapacitated. If you make it clear that the legal custody of the animal has already been transferred by an understanding which you have with the person to whom you have given care of your beloved animal.

There are also called for here. In such a clear case, forcing an animal to adjust to a new person or circumstances can compound its suffering, particularly when it has just lost its own cherished human companion. Advance personal arrangements with a friend or neighbor and a reliable veterinarian, to be confirmed by clear directions in your will, are also called for here.

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